**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE KURIAN JOSEPH**

**WEDNESDAY, THE 6TH JUNE 2007 / 16TH JYAISHTA 1929**

**OP.No. 5362 of 2001(L)**
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**PETITIONER:**
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**SURINDER KAUR,**
**'ASHIRWAD', 29/339,**
**GIRINAGAR GORDER,**
**KADAVANTHRA, KOCHI -20**

**BY ADV. SRI.G.PRABHAKARAN**

**RESPONDENTS:**
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1. **THE DISTRICT EXECUTIVE OFFICER,**
   **KERALA MOTOR TRANSPORT WORKERS'**
   **WELFARE FUND BOARD, ERNAKULAM.**

2. **THE GOVERNMENT OF KERALA REP.BY**
   **THE COMMISSIONER AND SECRETARY TO**
   **GOVERNMENT LABOUR DEPARTMENT,**
   **GOVERNMENT SECRETARIAT,**
   **THIRUVANANTHAPURAM.**

3. **THE DISTRICT COLLECTOR, ERNAKULAM.**

4. **THE TAHSILDAR (REVENUE RECOVERY) ERNAKULAM.**

**BY ADV. SRI.P.RAMAKRISHNAN**
**GOVERNMENT PLEADER SMT.K.R.DEEPA**

**THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 06/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**ORDER ON CMP. NO.8862/2001 IN OP. NO.5362/2001**

**DISMISSED**

**06.06.2007** **SD/- KURIAN JOSEPH, JUDGE**

**APPENDIX**

**PETITIONER'S EXHIBITS**

**EXT.P1:- COPY OF THE FINAL DETERMINATION ORDER ISSUED BY THE 1ST RESPONDENT DT. 30.9.93.**

**EXT.P2:- COPY OF THE APPEAL FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DT. 14.6.94.**

**EXT.P3:- COPY OF THE REVENUE RECOVERY NOTICE ISSUED BY THE 4TH RESPONDENT DT. 8.6.94.**

**EXT.P4:- COPY OF THE ORDER ISSUED BY THE 2ND RESPONDENT DT. 17.1.01 NO. G.O. (RT) NO.238/2001/LBR.**

**/TRUE COPY/**

**tss**

**KURIAN JOSEPH, J.**

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**O.P.No. 5362 of 2001**

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**Dated this the 6th day of June, 2007**

**JUDGMENT**

The issue raised in this writ petition pertains to payment of arrears of contribution to the Kerala Motor Transport Workers' Welfare Fund. Though several contentions are taken, in view of the fact that the case of the petitioner has been considered on merits both by the Executive Officer and also the appellate authority, the Government, it is submitted that the petitioner may be permitted to remit the balance in seven equal monthly instalments. The writ petition is hence disposed of making it clear that the petitioner shall be permitted to remit the balance in seven equal monthly instalments starting from the month of July 2007. In case there is default in payment of two consecutive instalments the respondents will be at liberty to recover the entire amount in lump.

(KURIAN JOSEPH, JUDGE)

ahg.

KURIAN JOSEPH, J.

O.P.NO.5362/2001

JUDGMENT

6th June, 2007